

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SUSAN COMPETELLO,

Plaintiff,

-against-

UNDER 5'10 LLC,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/15/2024

24-CV-04905 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

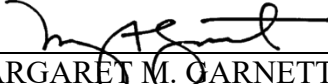
The Plaintiff commenced this case on June 28, 2024. *See* Dkt. No. 1. On July 1, 2024, the Court issued an order directing that (1) within 30 days of service of the summons and complaint upon Defendant, the parties must meet and confer in a good-faith attempt to settle the action; and (2) within 15 additional days thereafter (*i.e.*, within 45 days of service of the summons and complaint), the parties must submit a joint letter detailing particular information, as set forth in the Court's Order at Dkt. No. 5. *See* Dkt. No. 5.

Counsel for Defendant noticed an appearance on July 23, 2024, *see* Dkt. No. 6, and the summons and complaint were served upon Defendant on August 13, 2024, *see* Dkt. No. 7. As such, the parties were required to meet and confer by September 12, 2024, and to file a joint letter by September 27, 2024, in accordance with the Court's Order at Dkt. No. 5. No letter was filed on the docket. On October 3, 2024, Court staff emailed counsel for both parties, reminding them that the joint letter had been due on September 27 and inquiring as to the status of filing the letter. Neither counsel responded.

If, **by October 21, 2024**, Plaintiff fails to file one of the following: (i) a joint letter in accordance with the Order at Dkt. No. 5; (ii) a letter from Plaintiff's counsel explaining the status of discussions between the parties: or (iii) a stipulation of voluntary dismissal or letter notifying the Court of a settlement in principle, the Court will dismiss the case for abandonment or failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, without further notice to either party. *See Taub v. Hale*, 355 F.2d 201, 202 (2d Cir. 1966) (*per curiam*).

Dated: October 15, 2024
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge